

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3254 of 2021**

Arising Out of PS. Case No.-34 Year-2021 Thana- AWTARNAGAR District- Saran

RABI RANJAN KUMAR SINGH @ RAVI RANJAN KR. SINGH @ RAVI KUMAR SINGH S/O SUBHASH CHANDRA SINGH @ SUBHASH SINGH R/o village- Chainpurwa, P.S.- Avtarnagar, District- Saran at Chapra

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Krishna Kumar Yadav, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 22-10-2021 Heard learned counsel for the appellant and learned Spl. P.P. for the State through virtual mode.

Counsel for the appellant is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The appellant has challenged the order dated 15.06.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST (POA) Act, Saran at Chapra in connection with Avtarnagar P.S. case No.34 of 2021 registered for the offences under Sections 341, 323, 354B, 504 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989, whereby the prayer made on behalf of the appellant for grant of anticipatory bail has been



rejected.

The prosecution case, in short, is that the appellant along with two unknown persons misbehaved with the informant and they also abused and assaulted her by means of fists and slaps.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the appellant. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

Considering the aforesaid facts and circumstances, the order dated 15.06.2021, passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST (POA) Act, Saran at Chapra vide A.B.P. NO.830/2021 in connection with Avtarnagar P.S. case No.34 of 2021, is set aside.

Let the appellant, above named, in the event of arrest



or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST (POA) Act, Saran at Chapra in connection with Avtarnagar P.S. case No.34 of 2021.

The criminal appeal stands allowed.

(Sudhir Singh, J)

Narendra/-

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